

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

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In re: : Case No. Chapter 11  
Orion HealthCorp Inc., *et al.*, : Case No. 18-71748-67 (AST)  
Debtors. : Case No. 18-71789 (AST)  
: Case No. 18-74545 (AST)  
: (Jointly Administered)  
: .  
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Howard M. Ehrenberg in his capacity as : .  
Liquidating Trustee of Orion HealthCorp Inc., : .  
*et al.*, : .  
Plaintiffs, : Adv. Pro. No. 18-08048 (AST)  
: .  
v. : .  
Richard Ian Griffiths, *et al.*, : .  
Defendants. : .  
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**NOTICE OF PRESENTMENT OF  
THE COOLEY SHAREHOLDER DEFENDANTS' MOTION TO DISMISS  
THE FIRST AMENDED ADVERSARY PROCEEDING COMPLAINT**

**PLEASE TAKE NOTICE** that upon the accompanying Memorandum of Law and Declarations in Support of the Motion to Dismiss the First Amended Adversary Proceeding Complaint (the "Motion") brought by Defendants The Bankers Investment Trust plc, Elite Webb Capital Fund, Richard Ian Griffiths, Herald Investment Trust plc, Marlborough Fund Managers Limited, Marlborough UK Micro-Cap Growth Fund, Miton UK MicroCap Trust plc, MontLake UCITS Platform ICAV, Matthew Max Edward Royde, Megan Amelia Elizabeth Royde, and VT Garraway Investment Fund Series IV (f/k/a City Financial Investment Fund Series IV) (collectively, the "Cooley Shareholder Defendants") pursuant to Fed. R. Civ. 12(b)(2), as incorporated in this adversary proceeding by Fed. R. Bank. Pro. 7012, the Proposed Order

attached hereto shall be presented to the Honorable Alan S. Trust, United States Bankruptcy Judge, at the United States Bankruptcy Court, Eastern District of New York, 290 Federal Plaza, Courtroom 960, Central Islip, New York 11722, on a date to be determined in accordance with His Honor's Procedures.

**PLEASE TAKE FURTHER NOTICE** that pursuant to the October 18, 2019 Scheduling Order (Dkt. 207), any opposition to the Motion shall be filed on or before February 28, 2020, and any reply in support of the Motion shall be filed on or before March 27, 2020.

**PLEASE TAKE FURTHER NOTICE that if an objection to the relief requested is timely filed, or if the Court determines that a hearing is appropriate, the Court will schedule a hearing. Notice of such a hearing will be provided by the Cooley Shareholder Defendants.**

Dated: New York, New York  
November 1, 2019

COOLEY LLP

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*Attorneys for Defendants The Bankers Investment Trust plc, Elite Webb Capital Fund, Richard Ian Griffiths, Herald Investment Trust plc, Marlborough Fund Managers Limited, Marlborough UK Micro-Cap Growth Fund, Miton UK MicroCap Trust plc, MontLake UCITS Platform ICAV, Matthew Max Edward Royde, Megan Amelia Elizabeth Royde, and VT Garraway Investment Fund Series IV (f/k/a City Financial Investment Fund Series IV)*